

FILED *ab*

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

2005 JUN 17 AM 11:29

RUTH SMITH, Individually and as
Widow for the Use and Benefit of
Herself and the Next of Kin of
RICHARD SMITH, Deceased,

Plaintiff,

v.

PFIZER INC., PARKE-DAVIS, a
division of Warner-Lambert Company
and Warner-Lambert Company LLC,
WARNER-LAMBERT COMPANY,
WARNER-LAMBERT COMPANY LLC and
JOHN DOE(S) 1-10,

Defendants.

Case No.: 05-0444

Trauger

Motion GRANTED extension
to 8/3/2005

Alfred A. Trauger

**UNOPPOSED MOTION FOR ENLARGEMENT OF TIME
TO RESPOND TO COMPLAINT AND MEMORANDUM IN SUPPORT**

Defendants, Pfizer Inc., Warner-Lambert Company, LLC and Parke-Davis & Company, a Division of Warner-Lambert Company (together, "Defendants") and Plaintiff Ruth Smith, hereby move, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, for an enlargement of the time within which Defendants must answer, move, or otherwise respond to the Complaint. The grounds for this motion are as follows:

1. This action was removed to this Court on June 7, 2005 from the Circuit Court of Davidson County, Tennessee. Pursuant to Rules 81(c) of the Federal Rules of Civil Procedure, Defendants' response to the Plaintiff's Complaint would be due on or before June 20, 2005.

2. Plaintiff's counsel has advised that Plaintiff is not opposed to this motion.

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3. Defendants have notified the Judicial Panel for Multidistrict Litigation ("JPML") that this action is a potential "tag-along" and request that the Panel issue a Conditional Transfer Order providing for the transfer of this action to the Multidistrict Litigation court in the District of Massachusetts where *In re Neurontin Sales and Marketing Practices and Product Liability Litigation*, MDL No. 1629, is pending.

4. The parties request that Defendants' time to answer, move or otherwise respond to the Complaint be extended so as to conserve judicial and party resources.

WHEREFORE, the parties respectfully request that the Court enlarge the time within which Defendants must answer, move, or otherwise respond to the Complaint to 30 days after the JPML transfers this action to the MDL in the District of Massachusetts. Alternatively, Defendants respectfully request that their time to answer, move or otherwise respond to the Complaint be extended to August 3, 2005.

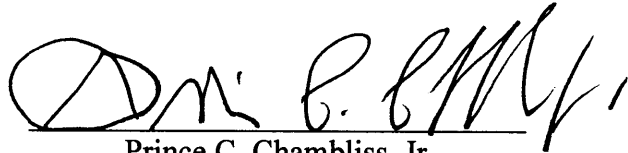
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Prince C. Chambliss, Jr.", is written over a horizontal line.

Prince C. Chambliss, Jr. # 5071
Stokes Bartholomew Evans & Petree, P.A.
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon Charles F. Barrett, Barrett Law Office, P.A., One Burton Hills Blvd., Suite 380, Nashville, TN 37215 and Andrew G. Finkelstein, Esq., Finkelstein & Partners, LLP, 436 Robinson Avenue, Newburgh, NY 12550, via regular U.S. Mail, postage prepaid, this 16th day of June, 2005.



Prince C. Chambliss, Jr.